

floor during consideration of the education bill when it is on the floor.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### APPOINTMENTS

The PRESIDING OFFICER. The Chair, on behalf of the Vice President, pursuant to 10 U.S.C. 6968(a), appoints the Senator from Mississippi (Mr. COCHRAN), from the Committee on Appropriations, to the Board of Visitors of the U.S. Naval Academy.

The Chair, on behalf of the Vice President, pursuant to 10 U.S.C. 9355(a), appoints the Senator from Idaho (Mr. CRAIG), from the Committee on Appropriations, to the Board of Visitors of the U.S. Air Force Academy.

The Chair, on behalf of the Vice President, pursuant to 10 U.S.C. 4355(a), appoints the Senator from Ohio (Mr. DEWINE), from the Committee on Appropriations, to the Board of Visitors of the U.S. Military Academy.

#### AUTHORIZING REPRESENTATION BY SENATE LEGAL COUNSEL

Mr. JEFFORDS. Mr. President, I ask unanimous consent that the Senate now proceed to the immediate consideration of S. Res. 84, submitted by Senators LOTT and DASCHLE.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 84) to authorize representation by the Senate Legal Counsel in *Timothy A. Holt v. Phil Gramm*.

There being no objection, the Senate proceeded to consider the resolution.

Mr. LOTT. Mr. President, a pro se plaintiff has commenced a civil action in Texas state court seeking damages against Senator GRAMM based on the Senator's acts of voting and introducing legislation regarding the labor of foreign nationals. The action makes Senator GRAMM a defendant solely because of acts of voting and introducing legislation taken in his official capacity as United States Senator. As such, the action is barred by the speech or debate clause of the Constitution. As Senators, we answer to our constituents, not to the courts, for our legislative activity.

This resolution would authorize the Senate Legal Counsel to represent Senator GRAMM to seek dismissal of the matter.

Mr. JEFFORDS. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, and any statements relating to the resolution be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 84) was agreed to.

The preamble was agreed to.

(The resolution is printed in today's RECORD under "Statements on Submitted Resolutions.")

#### EXECUTIVE SESSION

##### EXECUTIVE CALENDAR

Mr. JEFFORDS. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following nominations on the Executive Calendar: Nos. 41 and 50.

I further ask unanimous consent that the nominations be confirmed, the motions to reconsider be laid upon the table, any statements relating to the nominations be printed in the RECORD, the President be immediately notified of the Senate's action, and the Senate then return to legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations considered and confirmed are as follows:

##### DEPARTMENT OF STATE

Richard Nathan Haass, of Maryland, for the rank of Ambassador during his tenure of Service as Director, Policy Planning Staff, Department of State.

##### DEPARTMENT OF DEFENSE

Edward C. Aldridge, of Virginia, to be Under Secretary of Defense for Acquisition and Technology.

#### LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will now return to legislative session.

#### ORDERS FOR WEDNESDAY, MAY 9, 2001

Mr. JEFFORDS. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until the hour of 9:30 a.m. on Wednesday, May 9. I further ask unanimous consent that on Wednesday, immediately following the prayer, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and the Senate then resume consideration of the Mikulski amendment regarding community technology centers as under the previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### PROGRAM

Mr. JEFFORDS. Mr. President, tomorrow morning the Senate will have 5 minutes for closing remarks on the Mikulski amendment, with a vote to occur at approximately 9:35 a.m. There are numerous amendments currently

pending to the education bill and others expected to be offered during tomorrow's session. The Senate will continue consideration of the education bill until the budget resolution conference report is received from the House. It is hoped the papers will arrive no later than tomorrow afternoon so the Senate can attempt to complete action on the conference report prior to tomorrow's adjournment. As a reminder, all first-degree amendments to the education bill must be filed no later than 5 p.m. tomorrow, as under a previous order.

#### ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. JEFFORDS. Mr. President, if there is no further business to come before the Senate, I now ask unanimous consent that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 7:03 p.m., adjourned until Wednesday, May 9, 2001, at 9:30 a.m.

#### NOMINATIONS

Executive nominations received by the Senate May 8, 2001:

##### CONSUMER PRODUCT SAFETY COMMISSION

MARY SHEILA GALL, OF VIRGINIA, TO BE CHAIRMAN OF THE CONSUMER PRODUCT SAFETY COMMISSION, VICE ANN BROWN.

##### DEPARTMENT OF COMMERCE

WILLIAM HENRY LASH, III, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF COMMERCE, VICE PATRICK A. MULLOY, RESIGNED.

##### IN THE ARMY

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

##### To be brigadier general

COL. GARY A. QUICK, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

##### To be lieutenant general

MAJ. GEN. WILLIAM J. LENNOX JR., 0000

##### IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

##### To be lieutenant general

MAJ. GEN. WALLACE C. GREGSON JR., 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

##### To be major general

BRIG. GEN. JOHN J. MCCARTHY JR., 0000

##### IN THE ARMY

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

##### To be colonel

CHARLES R. BARNES, 0000  
ANDREW W. GOODWIN III, 0000  
JOSEPH WELLS, 0000

#### CONFIRMATIONS

EXECUTIVE NOMINATIONS CONFIRMED BY THE SENATE MAY 8, 2001:

## DEPARTMENT OF STATE

JOHN ROBERT BOLTON, OF MARYLAND, TO BE UNDER SECRETARY OF STATE FOR ARMS CONTROL AND INTERNATIONAL SECURITY.

RICHARD NATHAN HAASS, OF MARYLAND, FOR THE RANK OF AMBASSADOR DURING HIS TENURE OF SERVICE

AS DIRECTOR, POLICY PLANNING STAFF, DEPARTMENT OF STATE.

## DEPARTMENT OF DEFENSE

EDWARD C. ALDRIDGE, OF VIRGINIA, TO BE UNDER SECRETARY OF DEFENSE FOR ACQUISITION AND TECHNOLOGY.

THE ABOVE NOMINATIONS WERE APPROVED SUBJECT TO THE NOMINEES' COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.